

**AMENDMENTS TO THE DRAWINGS**

Please replace Substitute Sheet (Rule 26) of Fig. 5 with the attached replacement sheet of Figure 5, and please replace Substitute Sheet (Rule 26) of Fig. 6 with the attached replacement sheet of Figure 6.

Attachment: Two (2) Replacement Sheets

### **REMARKS**

This Response and Amendment, filed in response to the Office Action mailed March 18, 2008, fully address all the issues raised in the Office Action. Favorable reconsideration of the application is respectfully requested.

Upon entry of the Amendment, claims 1 and 3-9 are all the claims pending in the application. In the Amendment, claim 1 is amended to incorporate the features of original claim 2, which is indicated allowable. Claims 2 and 10 are canceled without prejudice or disclaimer. The specification is amended to cure the objections raised in the Office Action and Replacement Drawings 5 and 6 are submitted. No new matter has been introduced and entry of the Amendment is respectfully requested.

Applicants thank the Examiner for acknowledging the claim for foreign priority and receipts of certified copies of the priority documents.

### **Information Disclosure Statement**

The Office states that the information disclosure statement filed on May 10, 2006, fails to comply with 37 CFR 1.98(a)(2), because a legible copy of each listed non-patent reference is not available. Even though it is believed that a legible copy of such non-patent reference should be forwarded by the International Bureau of the WIPO, as the references are cited in the International Search Report, Applicants submit herewith a PTO SB 08 citing each reference and a legible copy of each, in order to advance the prosecution and for the Office's convenience.

### **Drawings**

In the Office Action, the drawings are objected to because the drawings, particularly Figures 5 and 6, are so blurred that they fail to depict anything useful.

In response, Applicants submit a replacement Fig. 5 and a replacement Fig. 6. Therefore, the objection to the drawings is moot, and its withdrawal is respectfully requested.

### **Specification**

In the Office Action, the specification is objected to because (1) the term “chimeric” is incorrectly spelled as “chimarie” (see page 1, 1st paragraph); and (2) the specification uses trademarks, including KODAK BIOMAX MR and LIPOFECTAMIN, which should be capitalized wherever it appears and be accompanied by the generic terminology.

In response, the specification is amended to correct the typographical error and capitalize the trademarks.

Accordingly, it is believed that the objection to the specification is not sustainable and its withdrawal is respectfully requested.

### **Claim Rejections - 35 U.S.C. § 112**

In the Office Action, claim 10 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Without conceding the Office Action, claim 10 is canceled without prejudice or disclaimer, solely in order to advance the prosecution.

The Office Action states claim 7 is rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. The Office asserts that there is undue experimentation for the ordinary artisan, because, while some guidance is provided regarding the structure, the working examples provide specific functions for this vector, the skilled artisan would be required to correlate the structure to the specific functions, requiring undue experimentation.

Considering the facts that the specification provides all required information and guidance to make and use the claimed subject matter of claim 7, it appears to Applicants that the Office considers that the present application does not comply with the requirements under 37 C.F.R. § 1.808. Applicants submit herewith a Declaration under 37 C.F.R. § 1.808 and a copy of the deposit according to Budapest Treaty.

Also, Applicants note that claim 7 is objected to on the ground that it refers to rejected claim. Page 13, Conclusion. Thus, the objection to claim 7 is not sustainable, as amended claim 1 is allowable.

Accordingly, Applicants respectfully request the objection and rejection of claim 7 be withdrawn.

### **Claim Rejections - 35 U.S.C. § 103**

Claims 1, 4, 6, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fielding *et al* (2000) and Goel *et al* (2000).

Without conceding the rejection, claim 1 is amended to incorporate the features of claim 2, which is indicated as allowable if rewritten in independent form, solely in order to advance the

prosecution. Therefore, the rejection of claim 1 is moot. Rejections of claims 4, 6, 8, and 9 are also unsustainable because they directly or indirectly refer to allowable claim 1.

Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 103 be withdrawn.

### CONCLUSION

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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